JAP:ICR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

16-1047M

- - - - - - - - - - - - - X

UNITED STATES OF AMERICA

- against -

ZURAB GVARLIANI,

Defendant.

- - - - - - - - - - - - - X

REMOVAL TO THE NORTHERN DISTRICT OF NEW YORK

(Fed. R. Crim. P. 5)

EASTERN DISTRICT OF NEW YORK, SS:

ANDREA NURKO, being duly sworn, deposes and states that she is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

On or about November 16, 2016, an arrest warrant was issued by the United States District Court for the Northern District of New York commanding the arrest of defendant ZURAB GVARLIANI for conspiracy to commit alien smuggling, in violation of 8 U.S.C. § 1324(a)(1)(A)(v).

The source of your deponent's information and the grounds for his belief are as follows:[1]

1. On or about November 16, 2016, a grand jury sitting in the Northern District of New York returned an indictment charging the defendant with conspiracy to commit alien smuggling, in violation of 8 U.S.C. § 1324(a)(1)(A)(v). On the same day, a

[1] Because the purpose of this Complaint is to set forth only those facts necessary to establish the identity of the person arrested, I have not described all the relevant facts and circumstances of which I am aware.

warrant for the arrest of the defendant ZURAB GVARLIANI was issued by the United States District Court for the Northern District of New York in connection with the indictment. A copy of the warrant and indictment is attached hereto as Exhibit A.

2. HSI agents arrested the defendant ZURAB GVARLIANI upon his arrival at John F. Kennedy International Airport in Queens, New York ("JFK Airport"), aboard JetBlue Airways Flight 788 from St. Maarten on November 18, 2016. Upon arrival GVARLIANI presented officers of United States Customs and Border Protection with a passport in the name of the defendant wanted by the United States District Court for the Northern District of New York. HSI agents compared a photograph of the individual sought by the United States District Court for the Northern District of New York with the individual arrested and determined that they are the same person. In addition, the defendant ZURAB GVARLIANI was fingerprinted during post-arrest processing and his fingerprints were submitted to a law enforcement database. The defendant ZURAB GVARLIANI's fingerprints were compared to and found to match fingerprints of the defendant wanted in the United States District Court for the Northern District of New York.

WHEREFORE, your deponent respectfully requests that the defendant ZURAB GVARLIANI be removed to the Northern District of New York so that he may be dealt with according to law.

ANDREA NURKO
Special Agent, United States Department of Homeland Security, Homeland Security Investigations

Sworn to before me this
19[illegible]

s/ Bloom

THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

EXHIBIT A

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America
v.
ZURAB GVARLIANI
Defendant

Case No. 8:16-CR-333 (LEK)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay *(name of person to be arrested)* ZURAB GVARLIANI,
who is accused of an offense or violation based on the following document filed with the court:

☑ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

8 U.S.C. § 1324(a)(1)(A)(v)- Conspiracy to Commit Alien Smuggling

Date: 11/16/2016

[signature]
Issuing officer's signature

City and state: Plattsburgh, New York

Hon. Gary L. Favro, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on *(date)* ________, and the person was arrested on *(date)* ________
at *(city and state)* ________.

Date: ________

____
Arresting officer's signature

____
Printed name and title

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
NOV 16 2016
AT ____ O'CLOCK ______
Lawrence K. Baerman, Clerk - Plattsburgh

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	) Criminal No. 8:16-CR-333 (LEK)
v.	) **Indictment**
[redacted]	) Violations: 8 U.S.C. § 1324(a)(1)(A)(v) [Conspiracy to Commit Alien Smuggling]
ZURAB GVARLIANI,	
[redacted]	) 1 Count
Defendants.	) County of Offense: Clinton

THE GRAND JURY CHARGES:

COUNT 1
[Conspiracy to Commit Alien Smuggling]

From on or about August 19, 2016 through on or about August 21, 2016, in Clinton County in the Northern District of New York, and elsewhere, the defendants, [redacted] **ZURAB GVARLIANI,** [redacted] and others, did conspire to commit alien smuggling by, knowing that an alien believed to have the initials N.K. who was a native and citizen of Georgia, bringing to the United States in any manner whatsoever such alien at a place other than a designated port of entry, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(i), (a)(1)(A)(v)(I), and (a)(1)(B)(i).

Dated: November 16, 2016

A TRUE BILL,

*name redacted

Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By: [signature]
Katherine Kopita
Assistant United States Attorney
Bar Roll No. 517944